

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

AMEREN MISSOURI,

Defendant.

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Case No. 4:11-CV-00077-RWS

Judge Rodney W. Sippel

**STIPULATED WITHDRAWAL OF MOTIONS
REGARDING DISCOVERY ON EFFICIENCY (ECF #s 301 AND 344)**

Plaintiff United States of America and Defendant Ameren Missouri hereby stipulate to the withdrawal of Ameren Missouri's Motion to Compel (ECF # 301) and EPA's Motion for Protective Order (ECF # 344) regarding discovery on efficiency, and state as follows:

1. On July 21, 2014, Ameren moved to compel discovery regarding EPA's recent statements about improving efficiency of coal-fired plants. (ECF # 301.)
2. On September 8, 2014, EPA moved for a protective order to limit discovery related to EPA's proposed carbon rule. (ECF # 344.)
3. At the September 9, 2014 status hearing, the Court directed the parties to meet and confer on the efficiency discovery issues raised in the parties' respective motions and report back to the Court by September 30th.
4. The parties subsequently conferred on September 15th, Ameren took a 30(b)(6) deposition of EPA on efficiency and heat rate issues on September 19th, and the parties conferred again on September 22nd.

5. After conferring, the parties agree that the issues raised in their respective motions (ECF #s 301 and 344) have been adequately addressed and stipulate to the withdrawal of Ameren's Motion to Compel (ECF # 301) and EPA's Motion for Protective Order (ECF # 344).

Dated: September 29, 2014

/s/ Andrew C. Hanson

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Respectfully submitted,

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